

CLERK, U.S.D.C. SOUTHERN DIVISION  
MAR 15 2012  
CENTRAL DISTRICT OF CALIFORNIA  
BY DEPUTY CLERK

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11 ENRIQUE DIAZ, } Case No. CV 09-0147-RGK (RNB)  
12 Petitioner, }  
13 vs. } ORDER ACCEPTING FINDINGS AND  
14 LARRY SMALL, Warden, } RECOMMENDATIONS OF UNITED  
15 Respondent. } STATES MAGISTRATE JUDGE

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the  
18 records and files herein, the original Report and Recommendation of the United  
19 States Magistrate Judge, respondent's and petitioner's respective objections thereto,  
20 the Supplemental Report and Recommendation of the United States Magistrate Judge,  
21 and petitioner's objections thereto. Having made a de novo determination of those  
22 portions of the original Report and Recommendation and the Supplemental Report  
23 and Recommendation to which objections have been made, the Court concurs with  
24 and accepts the findings and recommendations of the Magistrate Judge.

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1 IT THEREFORE IS ORDERED that petitioner's alternative request for a stay  
2 under Gonzalez v. Wong, 667 F.3d 965 (9th Cir. 2011) is denied, and that Judgment  
3 be entered denying the Petition and dismissing this action with prejudice.  
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5 DATED: MAR 13 2012

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8 R. GARY KLAUSNER  
9 UNITED STATES DISTRICT JUDGE  
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